

ILLINOIS COMMERCE COMMISSION

2003 NOV 24 A 10: 59

CHIEF CLERK'S OFFICE

FAIRPOINT COMMUNICATIONS, INC. )  
C-R TELEPHONE COMPANY, d/b/a FAIRPOINT )  
COMMUNICATIONS / C-R TELEPHONE COMPANY; )  
THE EL PASO TELEPHONE COMPANY, d/b/a )  
FAIRPOINT COMMUNICATIONS / THE EL PASO )  
TELEPHONE COMPANY; and ODIN TELEPHONE )  
EXCHANGE, INC. d/b/a FAIRPOINT )  
COMMUNICATIONS / ODIN TELEPHONE )  
EXCHANGE, INC. )

Docket No. 04-0299

Joint Application for approval of the Recapitalization of )  
FairPoint Communications, Inc. pursuant to Sections 7-203 )  
and 7-204 and for other relief. )

NOTICE AND CERTIFICATION

THIS Notice and Certification is filed by FairPoint Communications, Inc. in accordance with Condition (7) of the Illinois Commerce Commission's Order On Reopening entered January 20, 2005. Condition (7) provides as follows:

- "(7) that FairPoint keep available exclusively for the Illinois operating telephone companies, under its senior secured credit facility, an amount equal to the higher of \$1 million or the currently approved capital expenditures budget for all four Illinois operating telephone companies. FairPoint should certify annually to the Commission that the required amount is available to the Illinois operating companies for the ensuing year. Therefore, on December 1 of each year, FairPoint shall send a notice to the Commission certifying that such amount was then currently available, and for the ensuing year what the dollar commitment would be for the Illinois companies based on the capital expenditure budget for the follow year."

Pursuant to the Illinois Commerce Commission's Order in 07-0237 entered on June 27, 2007, Yates City Telephone Company was allowed to cease offering telecommunications services upon the closing of the Asset Purchase Agreement between Yates City Telephone Company and Mid-Century Telephone Cooperative, Inc. The closing occurred on July 31, 2007 and Yates City Telephone Company ceased offering telecommunications services.

FairPoint Communications, Inc. hereby notifies the Illinois Commerce Commission that the currently approved capital expenditure budgets for the calendar year 2009 for the three remaining FairPoint Illinois operating telephone companies are as follows: C-R Telephone Company d/b/a FairPoint Communications / C-R Telephone Company -- \$69,106; The El Paso Telephone Company d/b/a FairPoint Communications / The El Paso Telephone Company -- \$499,034 and Odin Telephone Exchange, Inc., d/b/a FairPoint Communications / Odin Telephone Exchange, Inc. -- \$789,742. These 2009 capital expenditure budgets total \$1,357,882.

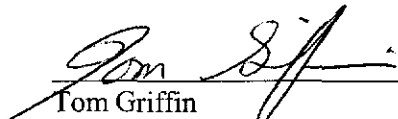
FairPoint communications, Inc. hereby certifies that \$1,357,882 is available under its senior secured credit facility and will be kept available under its senior secured credit facility exclusively for the Illinois operating telephone companies for the calendar year 2009.

DATED this 19<sup>th</sup> day of November 2008.

Respectfully submitted,

FAIRPOINT COMMUNICATIONS, INC.

By:


  
Tom Griffin  
Vice President and Treasurer

Dennis K. Muncy  
Joseph D. Murphy  
MEYER CAPEL, A Professional Corporation  
306 W. Church Street  
P.O. Box 6750  
Champaign, IL 61826-6750  
Telephone: 217/352-0030  
Facsimilie: 217/352-9294  
[dmuncy@meyercapel.com](mailto:dmuncy@meyercapel.com)  
[jmurphy@meyercapel.com](mailto:jmurphy@meyercapel.com)

STATE OF NORTH CAROLINA    )  
  )       SS  
COUNTY OF MECKLENBURG    )

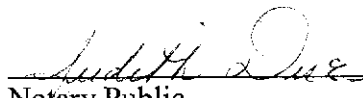
VERIFICATION

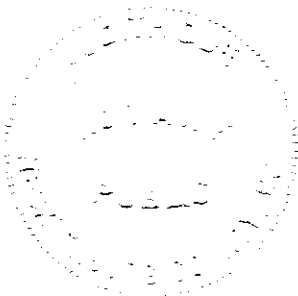
Tom Griffin, being first duly sworn, deposes and states that he is Executive Vice President and Treasurer of FairPoint Communications, Inc., C-R Telephone Company d/b/a FairPoint Communications / C-R Telephone Company; The El Paso Telephone Company d/b/a FairPoint Communications / The El Paso Telephone Company; and Odin Telephone Exchange, Inc. d/b/a FairPoint Communications / Odin Telephone Exchange, Inc.; that he has read the above and foregoing Notice and Certification and knows the contents thereof, and that the same are true to the best of his knowledge, information and belief.

  
\_\_\_\_\_  
Tom Griffin

Subscribed and Sworn to before me

this 18 day of November, 2008

  
\_\_\_\_\_  
Notary Public



ILLINOIS COMMERCE COMMISSION

(Docket No. 04-0299)

The undersigned certifies that a copy of the Notice and Certification was served upon all parties via U.S. Mail this 20th day of November, 2008.

Michael Wallace  
Administrative Law Judge  
Illinois Commerce Commission  
527 East Capital Avenue  
Springfield, IL 62701  
mwallace@icc.illinois.gov

Brandy Bush Brown  
Office of General Counsel  
Illinois Commerce Commission  
160 North LaSalle Street, Suite C-800  
Chicago, IL 60601  
bbrown@icc.illinois.gov

Mark Hanson  
Case Manager  
Illinois Commerce Commission  
527 E. Capitol Avenue  
Springfield, IL 62701  
mhanson@icc.illinois.gov

*Dennis K. Muncy*  
*jam*